

KEVIN V. RYAN (CSBN 118321)
United States Attorney
EUMI L. CHOI (WVBN 0722)
Chief, Criminal Division
PHILIP J. KEARNEY (CSBN 114978)
HARTLEY M. K. WEST (CSBN 191609)
Assistant United States Attorneys

450 Golden Gate Avenue
San Francisco, CA, 94102
Telephone: (415) 436-6758/6747
Telefax: (415) 436-7234

Attorneys for Plaintiff

E-filing

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-00507 PJH
)	[Filed August 4, 2005]
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	PROTECTIVE ORDER RE:
)	INTERCEPTED TELEPHONE CALLS
BERNARD THOMAS)	
)	San Francisco Venue
Defendant.)	

STIPULATION AND PROTECTIVE ORDER

The United States is producing to defense counsel, Elena Condes, excerpted transcripts of intercepted jailhouse phone calls from an Emil Forte to defendant Bernard Thomas. The parties stipulate, and the Court orders, that disclosure of these materials shall be subject to the following restrictions:

1. The United States will produce to defense counsel, Elena Condes, excerpted transcripts of intercepted jailhouse phone calls between Forte and Thomas, which relate to witness intimidation.

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2. The following individuals may examine the excerpted transcripts for the sole purpose of assisting in the investigation and preparation of the defense of the defendant, including his detention or release pending trial:

a) Defense counsel Elena Condes and those members of her staff who are assisting in the investigation and preparation of this case;

b) The defendant, with a member of Elena Condes's staff present.

3. No other person shall examine the materials without further order of the Court. In particular, no member or associate of DBG, including Emil Forte, shall be permitted to examine the materials absent further order of the Court.


4. Examination of the materials shall be done in a secure environment which will not expose the materials to other individuals not listed above.

5. No copies of any of the excerpted transcripts may be made without further order of the Court.

6. Within thirty days of the conclusion of this case in the District Court, defense counsel shall return to the United States all materials provided to her pursuant to this Order.

SO STIPULATED.

DATED: 8/12/05

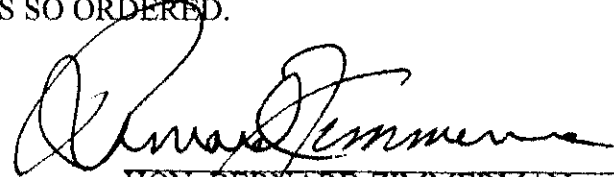

ELENA CONDES
Counsel for Defendant Bernard Thomas

DATED: 8/15/05


HARTLEY M. K. WEST
Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 15 Aug 05


HON. BERNARD ZIMMERMAN
United States District Judge

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